

TO: The Honorable Board of Supervisors

FROM: B. Clayton Goodman, III, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: June 23, 2008

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Technology Manufacturing Building
2. Boundary Adjustment – Town of Blacksburg

(3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Prices Fork Elementary School Site

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on May 28, 2008 and June 4, 2008:

1. Rezoning Request – William W. & Mary T. Peterman
A request by William W. & Mary T. Peterman for rezoning of approximately 19.038 acre tract(s) from Rural Residential (R-R) to Agriculture (A-1), with possible proffered conditions, to allow agricultural uses with a maximum density of four (4) dwelling units. The property is located to the southeast of the Mud Pike and Seven Mile Tree Road intersection, and is identified as Tax Parcel No(s). 104-A-75E, (Acct No. 120045), in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre. See TAB A.

2. Special Use Permit – Dale W. Alderman –CONTINUED TO JULY 28, 2008
A request by Dale W. Alderman for a special use permit on 3.807 acres in a Agriculture (A-1) zoning district to allow a contractor's storage yard. The property is located at 2980 Pilot Road, identified as Tax Parcel No(s). 108-A-25A (Acct # 000474) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

NOTE: The Planning Commission tabled this request at their June 11, 2008 and June 18, 2008 meeting. Therefore, the Board of Supervisors continues this public hearing until July 28, 2008.

VIII. PUBLIC ADDRESS

IX. ADDENDUM

X. CONSENT AGENDA

XI. NEW BUSINESS

- A. SUBJECT: REQUEST THE COMMISSION ON LOCAL GOVERNMENT TO REVIEW THE PROPOSED JOINT ECONOMIC DEVELOPMENT AND GROWTH SHARING AGREEMENT BETWEEN MONTGOMERY COUNTY AND THE TOWN OF CHRISTIANBURG**

RESOLUTION REQUESTING THE COMMISSION ON LOCAL GOVERNMENT TO REVIEW AND ISSUE FINDINGS ON THE PROPOSED JOINT ECONOMIC DEVELOPMENT AND GROWTH SHARING AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY, VIRGINIA AND THE TOWN OF CHRISTIANBURG, VIRGINIA

WHEREAS, Pursuant to the authority contained in Section 15.2-1301 of the 1950 Code of Virginia, as amended, the County of Montgomery, Virginia and the Town of Christiansburg, Virginia, negotiated a Joint Economic Development and Growth Sharing Agreement (“Growth Sharing Agreement”) whereby the Town of Christiansburg agrees to share certain tax revenues with the County in the area referred to as Woody/Wheatland/Hairston and Arbor View Lands shown more particularly on the plat entitled “Plat of Survey of Revised Corporation Line for the Town of Christiansburg Located in Shawsville Magisterial District Montgomery County, Virginia (Sheet 2 of 2)” dated February 22, 2007; and

WHEREAS, The County of Montgomery, Virginia and the Town of Christiansburg, Virginia cannot hold the required public hearing and approve the Growth Sharing Agreement until the Commission on Local Government has reviewed and issued its findings on the proposed Growth Sharing Agreement; and

WHEREAS, The Board of Supervisors of the County of Montgomery intend to adopt the Agreement subsequent to the Commissions review; and

WHEREAS, The Board of Supervisors authorize the County Attorney with assistance from the County Administrator and his staff to serve as the County’s principal contact with the Commission during the period of time the Commission reviews the proposed Growth Sharing Agreement; and

WHEREAS, The County of Montgomery shall provide concurrently with the submission to the Commission on Local Government notice of the referral to each Virginia Local Government contiguous to the County of Montgomery, Virginia.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby requests the Commission on Local Government to review the proposed Growth Sharing Agreement that the County of Montgomery and the Town of Christiansburg intend to adopt subsequent to the Commission's review and issue findings as provided in Subdivision 4 of Section 15.2-2903 of the 1950 Code of Virginia, as amended.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery that the Board of Supervisors hereby authorizes the County Attorney with assistance from the County Administrator and his staff to submit the necessary information to the Commission on Local Government for its review of the proposed Growth Sharing Agreement and for the County Attorney to serve as the principal County contact with the Commission during the review period and to send notice of the referral to each Virginia Local Government contiguous to the County of Montgomery, Virginia along with a copy of the proposed Growth Sharing Agreement, a descriptive summary of the Agreement and an annotated listing of all documents, exhibits and other materials submitted to the Commission.

ISSUE/PURPOSE: Request the Commission of Local Government for its review of the proposed Growth Sharing Agreement with the Town of Christiansburg.

JUSTIFICATION: The Town of Christiansburg agrees to share certain tax revenues with the County in the area referred to as Woody/Wheatland/Hairston and Arbor View Lands. The Commission of Local Government must first review and issue its findings before both the Town of Christiansburg and Montgomery County can enter into a Growth Sharing Agreement.

B. SUBJECT:

**RESOLUTION ENTERING INTO A
PICTOMETRY GRANT WITH ROANOKE
COUNTY**

**R-FY-08-
RESOLUTION ENTERING INTO A
PICTOMETRY GRANT AGREEMENT
WITH ROANOKE COUNTY**

WHEREAS, Montgomery County joined Roanoke County, City of Roanoke, City of Salem, Town of Vinton, Town of Blacksburg, and the Town of Christiansburg in applying for a regional Wireless E-911 Services Board grant for specialized aerial photography (Pictometry); and

WHEREAS, On March 27, 2008 the regional grant in the amount of \$300,000 was approved by the Wireless E-911 Services Board; and

WHEREAS, The aerial photography project provides visually enhanced 360° aerial views of natural geography and structures for primary use by Public Safety Answering Points, first responders, and other users; and

WHEREAS, Montgomery County through a grant subdivision agreement would receive \$40,934 in grant funds for the project in FY 09 with a cost of \$26,551 to Montgomery County in FY 2010.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County Virginia, that the County Administrator is authorized to sign the grant subdivision agreement with Roanoke County and implement the Pictometry project.

ISSUE/PURPOSE: Resolution authorizing the County Administrator to sign the Grant Subdivision Agreement.

JUSTIFICATION: A staff report on this issue is included in TAB **D**.

C. SUBJECT: RESOLUTION OF APPRECIATION

**R-FY-08-
RESOLUTION OF APPRECIATION
MONTGOMERY-FLOYD REGIONAL LIBRARY
ANN H. CARTER**

WHEREAS, Ann H. Carter has served the citizens of Montgomery County as a member of the Montgomery-Floyd Regional Library Board since July 1, 2000; and

WHEREAS, Ann H. Carter served as Chair of the Montgomery-Floyd Regional Library Board from July 2003 through June 2007 and as Vice Chair from July 2007 through June 2008; and

WHEREAS, Ms. Carter has played a vital role in supporting the qualify of life in our community through her work on the Montgomery-Floyd Regional Library Board; and

WHEREAS, The Board of Supervisors recognizes the hard work, dedication, experience and leadership **Ann H. Carter** has demonstrated in her eight years of service on the Montgomery-Floyd Regional Library Board.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Ann H. Carter*** for her outstanding dedication to the community and the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Ann H. Carter*** as a testimonial of the high esteem and appreciation in which she is regarded by the members of the Board of Supervisors and that a copy be made apart of the official minutes of Montgomery County.

ISSUE/PURPOSE: Resolution of Appreciation to Ann H. Carter.

JUSTIFICATION: Ann Carter has served on the Montgomery-Floyd Regional Library Board since July 2000. Her second term will end on June 30, 2008. Due to the two term limit Ms. Carter is not eligible for reappointment.

XII. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. VDOT'S Proposed Secondary Street Acceptance Requirements (SSAR)
See TAB **E**.

XIII. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends the Work Session to return to Regular Session.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

1. Supervisor Creed
2. Supervisor Brown
3. Supervisor Marrs
4. Supervisor Biggs
5. Supervisor Politis
6. Supervisor Muffo
7. Supervisor Perkins

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, July 14, 2008
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, July 28, 2008
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Regular Meeting
Monday, August 11, 2008
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, August 25, 2008
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda